

# House Transportation Committee Amendment No. 1

Amendment No. 1 to HB1826

Pinion  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1740\***

**House Bill No. 1826**

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-3-103, is amended by inserting the following language as a new, appropriately numbered subdivision:

( ) "Biodiesel" means mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats that meet the registration requirements for fuels and fuel additives established by the environmental protection agency under the Clean Air Act and which conform to ASTM D6751 specifications for use in diesel engines. Biodiesel is a clean burning, biodegradable, nontoxic, alternative fuel, produced from domestic, renewable resources, especially agricultural products. Pure biodiesel contains no petroleum, but it can be blended at any level with petroleum diesel to create a biodiesel blend (B%) which can be used in compression-ignition (diesel) engines;

SECTION 2. Tennessee Code Annotated, Title 67, Chapter 3, Part 4, is amended by adding the following language as a new, appropriately designated section:

§67-3-423.

(a) A manufacturer of biodiesel within the state of Tennessee who sells tax-paid biodiesel within the state shall be entitled to a refund of the tax paid pursuant to §67-3-202 in an amount of seventeen cents (17¢) per gallon on such biodiesel and, to the extent such biodiesel is blended with petroleum, on the biodiesel portion of such biodiesel blend. Any claim for refund filed with the commissioner must be supported by documentation that sets forth the name, address, account number and federal employer identification number or social security number of the customer, together with the invoice or delivery ticket number and number of gallons sold. The claimant may file one (1) claim each month and otherwise be subject to the statute of limitations provided in § 67-3-421.

(b) Any refund approved by the commissioner shall be paid from the general fund only and shall not affect the highway fund or any local expenditures.

SECTION 3. This act shall take effect June 1, 2007, the public welfare requiring it, and is hereby repealed effective July 1, 2013.